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Message Text

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15
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EUR/CE - MR. STEINER
---------- 062450
R 092044Z APR 75
FM SECSTATE WASHDC
TO AMEMBASSY ATHENS
AMEMBASSY BONN
AMEMBASSY LONDON
AMEMBASSY PARIS

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E.O. 11652: N/A
TAGS: EFIN, PFOR, ACLM, GR, GW, US
SUBJECT:GERMAN/GREEK WORLD WAR I DEBT AGREEMENT

REFS: (A) STATE 21512; (B) STATE 51492

1. THE GREEK EMBASSY HAS GIVEN THE DEPARTMENT A COPY OF THE FOLLOWING NOTE WHICH THEY SAY HAS BEEN DELIVERED TO EMBASSY ATHENS.

2. BEGIN TEXT: NO 8D.F237/355/AS161 NOTE VERBALE

THE MINISTRY OF FOREIGN AFFAIRS PRESENTS ITS COMPLIMENTS TO THE EMBASSY OF THE UNITED STATES OF AMERICA AND IN REPLY TO THE LATTER'S NOTE SUB. NO 46 OF THE 13TH FEBRUARY 1975 HAS THE HONOUR TO INFORM IT OF THE FOLLOWING:

THE MINISTRY WOULD LIKE, AT FIRST, TO POINT OUT THAT THE REA-
SONS GIVEN IN THE ABOVE MENTIONED NOTE FOR THE NON-APPROVAL,
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UP TO NOW, BY THE UNITED STATES GOVERNMENT OF THE AGREEMENT

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OF JUNE 13, 1974, BETWEEN GREECE AND THE FEDERAL REPUBLIC OF GERMANY DO NOT SEEM JUSTIFIED NEITHER BY THE PROVISIONS OF THE LONDON GERMAN EXTERNAL DEBTS AGREEMENT OF 1953 NOR BY THE GENERAL PRINCIPLES OF INTERNATIONAL LAW CONCERNING THE DIPLOMATIC PROTECTION OF CITIZENS.

HOWEVER, THE MINISTRY, IN ORDER TO REMOVE CERTAIN MISUNDERSTANDINGS THAT SEEM TO HAVE OCCURRED, WISHES TO STATE, HEREBY, THAT THE GREEK GOVERNMENT WILL HONOUR IN FULL ITS OBLIGATIONS TO DR. PLEWNIA (I.E. PAYMENT TO HIM FOR TEN PERCENT IN D.M. OF THE TOTAL SETTLEMENT TO BE RECEIVED FROM THE GERMAN GOVERNMENT) AS PER THE DECISIONS OF THE MINISTERS OF FOREIGN AFFAIRS AND FINANCE, DATED SEPTEMBER 19, 1968 AND JUNE 8, 1970.

IN THIS RESPECT THE MINISTRY WISHES TO MAKE CLEAR THAT AMBASSADOR ROUSSOS' LETTER TO DR. PLEWNIA OF JUNE 5, 1974 WAS AIMING AT FURTHER ASSURING HIM OF HIS RIGHTS AND IT SHOULD IN NO WAY BE CONSTRUED AS AN ALLEGED INTENTION OF THE GREEK GOVERNMENT NOT TO FULFILL ITS OBLIGATIONS. IT SHOULD BE NOTED THAT ACCORDING TO INFORMATIONS COMMUNICATED TO THE GREEK GOVERNMENT, DR. PLEWNIA RETAINED THE SERVICES OF GREEK LAWYERS, WHO COOPERATED WITH THE LATTER. ONE OF THE SAID GREEK LAWYERS, MR. J. PSIMENOS, FILED A LAWSUIT VERSUS THE GREEK FISC ASKING THE COURT TO RECOGNIZE AND ORDER THE SEIZURE OF PART (2.375 PERCENT) OF DR. PLEWNIA'S FEE, WHICH, HE CLAIMS, THE LATTER HAS ASSIGNED TO HIM IN WRITING. IN VIEW OF THE ABOVE PENDING LITIGATION AND IRRESPECTIVELY OF THE PROTECTION OF THE RIGHTS OF OTHER GREEK LAWYERS INVOLVED, THE GREEK GOVERNMENT IS OBLIGED ACCORDING TO THE GREEK LAW (ARTICLE 455 AND FOLLOWING ARTICLES OF THE CIVIL CODE, ARTICLE 984 OF THE CODE OF CIVIL PROCEDURE) AND IN ORDER TO PROTECT ITSELF AGAINST POSSIBLE DOUBLE PAYMENT TO WITHHOLD FROM DR. PLEWNIA'S FEE THE SAID AMOUNT (2.375 PERCENT) UNDER LITIGATION, UNTIL THE DISPUTE BETWEEN THE ABOVE MENTIONED LAWYERS IS LEGALLY SETTLED.

IN ORDER THAT ANY FURTHER DEROGATORY CONSEQUENCES TO THE INTERESTS OF THE GREEK CLAIMENTS BE AVOIDED, THE HELLENIC
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GOVERNMENT HOPEFULLY BELIEVES THAT THE UNITED STATES GOVERNMENT WILL PROCEED, WITHOUT UNDUE DELAY, TO THE ENDORSEMENT OF THE JUNE 13, 1974 GREEK-GERMAN AGREEMENT.

THE MINISTRY OF FOREIGN AFFAIRS AVAILS ITSELF OF THIS OPPORTUNITY TO RENEW TO THE EMBASSY OF THE UNITED STATES OF AMERICA THE ASSURANCES OF ITS HIGHEST CONSIDERATION. ATHENS, MARCH 31, 1975. END TEXT

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3. ATHENS SHOULD RESPOND TO GOG IN WRITING SAYING THAT THE USG IS PLEASED WITH THE ASSURANCES CONTAINED IN THE GREEK NOTE AND WE ARE THEREFORE PROCEEDING TO INSTRUCT OUR EMBASSIES IN BONN, LONDON AND PARIS TO INFORM THE GERMAN GOVERNMENT AND THE GOVERNMENTS OF THE UK AND FRANCE OF OUR APPROVAL OF THE GERMAN/GREEK WORLD WAR I DEBT AGREEMENT.

IN THE RESPONSE, ATHENS SHOULD ALSO INFORM THE GOG THAT WE HAVE ADVISED THE AMERICAN PARTIES OF THE CONTENTS OF THE GREEK NOTE. WHEN DELIVERING THE WRITTEN RESPONSE, ATHENS MAY ORALLY INFORM THE GOG THAT THE DEPARTMENT HAS BEEN ADVISED BY THE AMERICAN LAWYERS THAT THEY EXPECT TO REACH AN AGREEMENT WITH PSIMENOS WITHIN THE NEXT SEVEN DAYS UNDER WHICH HE WILL OBTAIN 2.1277 PERCENT OF THE SETTLEMENT, THIS AMOUNT TO BE TAKEN FROM THE TEN PERCENT OWING TO PLEWNIA AND HIS AMERICAN ASSOCIATES.

4. WOULD APPRECIATE CONFIRMATION FROM ATHENS OF THE GREEK NOTE AND DELIVERY OF US RESPONSE.

5. FOR BONN, LONDON AND PARIS: UPON RECEIPT OF ATHENS' CONFIRMATION, REQUEST YOU INFORM THE GOVERNMENTS TO WHICH YOU ARE ACCREDITED OF THE USG APPROVAL OF THE AGREEMENT.
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